IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF JUNE TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,
CHIEF JUSTICE
and
HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO : 6282 of 2002

Between:

Pullareddygari Jayarami Reddy S/o.late Pedda Papi Reddy R/o.Chennareyunipalli T.Sadum Village, Chittoor Dist

..... PETITIONER

AND

1 The District Collector, Chittoor, Chittoor District
2 The Chairman, District Sand Committee cum Chairman Zilla Parishad, Chittoor.
3 The Sub-Collector Madanapalli, Chittoor District
4 The Deputy Executive Engineer (R.W.S) Project Sub-Division, Madanapalli, Chittoor District
5 Narayana Reddy S/o.Anjan Reddy
Jonnala Kothapalli Village, Mudigubba Mandal,
Anantapur Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ order or direction declaring the action of the respondents 1 to 4 in conducting the auction of sand quarry on 28/02/2002 and allotting the same to Respondent No.5 relating to item

No.29 of Papagni River at T.Sadum Village, Peddathippasamudram Mandal, Chittoor District, as illegal and contrary to the public policy and offends Art.14 and 21 of the Constitution of India and further declare that the sand lease agreement executed by the 3rd respondent in favour of 5th respondent in respect of lifting of sand from Papagni River at T.Sadum village, Peddathippasamudram Mandal, Chittoor District, shown as S.No.29 in the notification dated 8.2.2002 issued by the Chairperson, District Sand Committee and Chairman, Zilla Parishad, Chittoor for the period from 22.7.2002 to 22.7.2003 as without jurisdiction, illegal and unconstitutional, and consequently direct the respondents 1 to 4 to cancel sand quarry lease entrusted to R.5 as it affects the interests of the village of T.Sadum Village of Peddathippasamudram Mandal, Chittoor District and pass such other orders.

For the Petitioner : MR.T.PRADYUMNA KUMAR REDDY
Advocate.

For the Respondent Nos 1 to 4 : Advocate General

For the respondent No.5 : Mr.P.Jagadish Chandra Prasad, Advocate.

The Court Made the Following :

ORAL ORDER:

(Per Hon'ble The Chief Justice)

.....

1. This writ petition is filed seeking to declare the action of respondents 1 to 4 in conducting the auction of sand quarry on 28.2.2002 and allotting the same to respondent No.5 relating to item No.29 of Papagni River at T. Sadum village, Peddathippasamudram Mandal, Chittoor District, as illegal and consequently direct respondents 1 to 4 to cancel quarry lease.

2. During the pendency of the writ petition, we disposed of W.P.Nos. 16710 of 2002 and 17665 of 2003 on 2.12.2003. W.P.No.16710 of 2002 was filed by 5th respondent, which was dismissed.

3. In view of the fact that lease period of 5th respondent has since been expired, nothing survives in this writ petition since it has been rendered infructuous and dismissed as such. No costs.

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DEVINDER GUPTA, C.J.,

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G. ROHINI. J.,

Dated: 23.06.2004.

VRK.

To

The District Collector, Chittoor, Chittoor District

2 The Chairman, District Sand Committee cum Chairman Zilla Parishad, Chittoor.

3 The Sub-Collector Madanapalli, Chittoor District

4 The Deputy Executive Engineer (R.W.S) Project Sub-Division, Madanapalli, Chittoor District

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HON'BLE SRI DEVINDER GUPTA,
CHIEF JUSTICE
AND
HON'BLE Ms. JUSTICE G.ROHINI.

W.P.NO. 6282 OF 2002.

(Order of the Bench delivered by
Hon'ble The Chief Justice)

Dt: 23.06.2004.